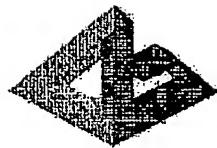


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LAVA GROUP  
Unearthing latent value

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**FACSIMILE TRANSMITTAL**

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**MAIL STOP** : Amendment**FROM** : Gregory S. Smith**EXAMINER** : PAIK, Steve S.**Faxing DATE**: Oct 3, 2005**FACSIMILE** :**LAVA GROUP FILE #**: 01004.1030**SUBJECT:** Application Serial No 10/812,219 Filed March 29, 2004

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**This Transmission Includes the Following Items**

Item being transmitted	Pages
<input checked="" type="checkbox"/> Transmittal	1
<input checked="" type="checkbox"/> Amendment in response to office action	4
<b>Total Pages Including Cover Sheet</b>	<b>6</b>

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**COMMENTS:**TWO RAVINA DRIVE, SUITE 790  
ATLANTA, GEORGIA 30346TELEPHONE: 770-804-9070  
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OCT 04 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

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Total Number of Pages in This Submission 5

Application Number 10/812,219

Filing Date March 29, 2004

First Named Inventor RABENOLD, Nancy J.

Art Unit 2876

Examiner Name PAIK, Steve S.

Attorney Docket Number 01004.1030

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Smith Frowhwein Tempel Greenlee Blaha, LLC		
Signature			
Printed name	Gregory Scott Smith		
Date	Oct 3, 2005	Reg. No.	40,819

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gregory Scott Smith	Date	Oct 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 04 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
**RABENOLD et al.**

Serial No.:  
**10/812,219**

Filed:  
**March 29, 2004**

Title: **AUTOMATED CONDITION  
EVALUATOR**

§ Confirmation Number:  
**2892**  
§ Group Art Unit:  
**2876**  
§  
§ Examiner:  
**PAIK, Steve S.**  
§ Atty. Docket Number:  
**01004.1030**  
§

**RESPONSE TO FINAL OFFICIAL ACTION OF 09/08/2005**

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Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Office:

Applicant's attorneys are now in receipt of the Final Official Communication from the USPTO that was mailed on September 8, 2005. At the issuance of the Official Communication, claims 1-20 were pending with the Office setting forth rejections for claims 1-10 and 12-20 and allowing claim 11. In this response, the applicants place the pending application in condition for allowance by canceling the rejected claims.